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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,630	07/13/2001	Hyun-kwon Chung	1293.1225	1050

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EXAMINER

SWEARINGEN, JEFFREY R

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/903,630

Applicant(s)

CHUNG ET AL.

Examiner

Jeffrey R. Swearingen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 45-51, 53-60 and 62-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 45-51, 53-60 and 62-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 4/4/2006 have been fully considered but they are not persuasive.
2. Applicant argued that no evidence of record existed to support the inherency of storing data prior to transmission of data. Applicant's claim language was broadly interpreted, as dictated by the MPEP. In the textbook of Kurose et al. (Computer Networking: A Top-Down Approach Featuring the Internet, Addison-Wesley, 2001) a network interface card (NIC) was described as having RAM on page 383. The RAM in the NIC was used to buffer or store data before and during data transmission. This reading fulfills the scope of the claim language. Kurose is provided solely as the evidence of record Applicant requested to establish the inherency of storage prior to data transmission, and not to change the grounds of rejection.
3. Applicant argued there was no motivation to combine Meyer with the cookie teachings of Montulli. The Examiner respectfully disagrees. Montulli (5,774,670) is the patent for cookie technology, which is widely in use throughout the Internet. Further, a Cookie file was used as a container for state information. Montulli, column 7, lines 12-26. Applicant admitted Meyer disclosed transmitting the contents identifier in a message. Remarks, page 9. The message in Meyer was a "container" for the contents identifier. The contents identifier in Meyer was a form of "state information", referring to the identification or state of the contents.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 45-51, 53-60, and 62-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer et al. (USPN 6,829,368) in view of Montulli (USPN 5,744,670).

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6. In regard to claim 45, Meyer disclosed *an identifier provider for providing an identifier of the contents; a network connector; and a controller for storing the contents identifier provided by the identifier* (column 13, lines 4-27, where the identifier is transmitted by the Internet browser. Storage inherently precedes transmission of the identifier.); *transmitting the stored contents identifier through the network connector to a server system, which provides additional information related to the provided contents identifier* (column 13, lines 4-27); *and receiving, through the network connector, the additional information provided from the server system after the stored contents identifier was transmitted* (column 13, lines 4-27). Meyer taught the transmission of an identifier using an Internet browser to a server to retrieve information. (column 13, lines 4-27). Meyer failed to disclose that this transmission involved the use of a cookie file. However, Montulli taught that it was well known in the art to use a cookie file for data transmission at the time of the invention. (column 9, lines 47-57). It would have been obvious to one of ordinary skill in the art at the time of the invention to use any means of transmission to send data to a server through a web browser, including cookie files, since cookie files were well established and known in the art as a data transmission scheme utilized in web browsers.

7. In regard to claim 46, Meyer-Montulli further disclosed *a reading unit for reading data from at least one storage medium, in which the contents are stored, and reads the contents identifier from the at least one storage medium, wherein the identifier provider provides the read contents identifier read from the at least one storage medium to the controller.* (Meyer, column 16, lines 1-3 and lines 59-67)

8. In regard to claim 47, Meyer-Montulli further disclosed *a reading unit for reading data from at least one storage medium, in which the contents are stored, and reads an international standard recording code (ISRC) from the at least one storage medium, wherein the identifier provider receives the ISRC read and provides the ISRC as the contents identifier to the controller.* (Meyer, column 16, lines 1-3, lines 59-67; column 3, lines 54-59)

9. In regard to claim 48, Meyer-Montulli further disclosed *a reading unit for reading the contents from at least one storage medium in which the contents are stored; and a reproducer for reproducing contents read by the reading unit.* (Meyer, column 16, lines 1-3, lines 59-67; column 13, lines 4-27).

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10. In regard to claim 49, Meyer-Montulli further disclosed *a decoder for decoding the read contents*. (Meyer, column 13, lines 4-27)

11. In regard to claim 50, Meyer-Montulli further disclosed *a speaker for receiving audio data output from the decoder and delivering sound; and a display apparatus for receiving video data output from the decoder and displaying images*. (Meyer, column 12, lines 59-65; column 14, lines 3-11).

12. Claim 51 is substantially the same as claim 45.

13. Claim 53 is substantially the same as claim 47.

14. Claim 54 is substantially the same as claim 45.

15. In regard to claim 55, Meyer-Montulli further disclosed *the reproduction apparatus further comprises a reading unit for reading data from at least one storage medium, the at least one storage medium stores the contents, the identifier provider provides the contents identifier read from the at least one storage medium to the controller, and the controller receives the contents identifier from the reproduction apparatus for transmitting the contents identifier provided by the identifier provider through the network connector to the server*. (Meyer, column 16, lines 1-3 and lines 59-67, column 3, lines 54-59)

16. Claim 56 is substantially the same as claim 47.

17. In regard to claims 57 and 58, Meyer-Montulli further disclosed receiving the contents identifier from the browser as a cookie. Meyer taught the transmission of an identifier using an Internet browser to a server to retrieve information. (column 13, lines 4-27). Montulli taught that it was well known in the art to use a cookie file for data transmission at the time of the invention. (column 9, lines 47-57).

18. Claim 59 is substantially the same as claims 45 and 47.

19. Claim 60 is substantially the same as claim 46.

20. In regard to claims 62-64, Meyer-Montulli further disclosed preparing a cookie and including the contents identifier in the cookie. Meyer taught the transmission of an identifier using an Internet browser to a server to retrieve information. (column 13, lines 4-27). Montulli taught that it was well known in the art to use a cookie file for data transmission at the time of the invention. (column 9, lines 47-57). The storage of a cookie on an apparatus prior to transmission was inherent to Meyer-Montulli

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21. In regard to claim 65, Meyer-Montulli further disclosed *reproducing the received additional information without reproducing the corresponding predetermined contents* (column 13, lines 4-27).

22. In regard to claim 66, Meyer-Montulli further disclosed *reproducing the received additional information while reproducing the corresponding predetermined contents*. (column 13, lines 4-27)

23. In regard to claim 67, Meyer-Montulli further disclosed *the controller receives an input requesting retrieval of the additional information, if the received input requests receipt of the additional information without reproducing the corresponding contents, the additional information is retrieved from the server system using the cookie file without reproducing the corresponding contents, and if the received input requests the additional information while reproducing the corresponding contents, the additional information is retrieved from the server system using the cookie file while reproducing the corresponding contents*. (column 13, lines 4-27)

24. In regard to claim 68, the storage of a file prior to transmission of the file was inherent to Meyer-Montulli.

25. In regard to claims 69-71, Meyer-Montulli further disclosed *the predetermined contents comprises audio and/or video contents, and the additional information includes words of a song of the audio and/or video contents, personal information items on singers of the audio and/or video contents, contents of recent activities of the audio and/or video contents, other songs of a similar genre of the audio and/or video contents, or combinations thereof*. (Meyer, column 13, lines 4-27, 37-44).

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

27. Kurose, James et al. Computer Networking: A Top-Down Approach Featuring the Internet. Addison-Wesley, 2001. 383-85.

28. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Jason Cardone
Supervisory Patent Examiner
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